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PTO/SB/21 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

6

Application Number

10/705,447

Filing Date

11/10/2003

First Named Inventor

Xiao Xu

Art Unit

1632

Examiner Name

to be determined

Attorney Docket Number

ACE-00101.P.1.1-US

ENCLOSURES (Check all that apply)



Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)



Reply to Missing Parts/
Incomplete Application



Reply to Missing Parts
under 37 CFR 1.52 or 1.53



Drawing(s)



Licensing-related Papers



Petition



Petition to Convert to a
Provisional Application



Power of Attorney, Revocation
Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____

☐ Landscape Table on CD



After Allowance Communication to TC



Appeal Communication to Board
of Appeals and Interferences



Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)



Proprietary Information



Status Letter



Other Enclosure(s) (please identify
below):

Remarks

1. Listing of References on Form 1449;
2. 2 Volumes of cited references; and
3. Postcard

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

David R Preston & Associates

Signature

Printed name

David R Preston

Date

December 14, 2005

Reg. No.

38,710

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

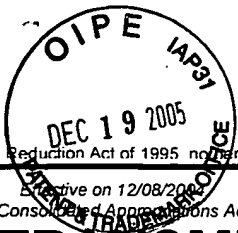
Hal Gibson

Date

December 14, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2005

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2005☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 0.00

Complete if Known

Application Number	10/705,447
Filing Date	11/10/2003
First Named Inventor	Xiao Xu
Examiner Name	to be determined
Art Unit	1632
Attorney Docket No.	ACE-00101.P.1.1-US

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 501321 Deposit Account Name: David R. Preston

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Fee (\$)	Small Entity Fee (\$)
50	25

Each independent claim over 3 (including Reissues)

200	100
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Multiple dependent claims

360	180
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Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	=	

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	=	

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

Other (e.g., late filing surcharge):

SUBMITTED BY

Signature

Registration No.
(Attorney/Agent) 38,710

Telephone 858-724-0375

Name (Print/Type) David R Preston

Date December 14, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Patent

Docket Number: ACE-00101.P.1.1-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)	
)	
Xu et al.)	Examiner: To Be Determined
)	
Application No.: 10/705,447)	Art Unit: 1632
)	
Filed: November 11, 2003)	
)	
For: IMPEDANCE BASED DEVICES)	
AND METHODS FOR USE IN)	
ASSAYS)	
)	

Commissioner for Patents
Alexandria, VA 22313

INFORMATION DISCLOSURE STATEMENT

Sir:


This Information Disclosure Statement is being filed before the mailing of a First Office Action on the merits under 37 C.F.R. § 1.97(a)(3). Accordingly, no fee under 37 C.F.R. § 1.17(p) is deemed necessary.

Applicants respectfully submit herewith a listing of references on the attached Form 1449 and two (2) volumes of cited references.

Please apply any charges not covered, or any credits, to Deposit Account number 501321 in the name of David R. Preston & Associates, having Customer Number 24232.

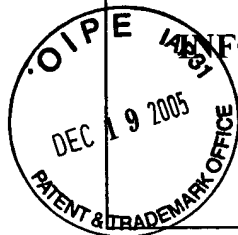
Respectfully submitted,

Date: Dec. 14, 2005

A handwritten signature in black ink, appearing to read 'David R. Preston', written over a horizontal line.

David R. Preston
Reg. No. 38,710

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facsimile: 858.724.0384



INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	Docket Number: ACE-00101.P.1.1-US	Application Number: 10/705,447
	Applicant: Xiao Xu	
	Filing Date: November 10, 2003	Group Art Unit: 1632

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	P1	2003/0032000	02/2003	Liu et al			
	P2	2005/0014130	01/2005	Liu et al			
	P3	USRE38,323	11/2003	Sugihara et al			
	P4	6,368,795	04/2002	Hefti			
	P5	6,376,233	04/2002	Wolf et al			
	P6	6,461,808	10/2002	Bodner et al			
	P7	6,485,905	11/2002	Hefti			
	P8	6,566,079	05/2003	Hefti			
	P9	6,573,063	03/2003	Hochman			
	P10	6,626,902	09/2003	Kucharczyk et al			
	P11	6,627,461	09/2003	Chapman et al			
	P12	6,686,193	02/2004	Maher et al			
	P13	6,716,620	04/2004	Bashir et al			

Examiner Signature		Date Considered	
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FOREIGN PATENT DOCUMENTS								
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	Translation	
							YES	NO
	F1	EP 1195432B1	09/2004	EPO				
	F2	01/25769	04/2001	PCT				
	F3	02/04943	01/2002	PCT				
	F4	02/42766	05/2002	PCT				
	F5	03/016887	02/2003	PCT				
	F6	05/005979	01/2005	PCT				

OTHER DOCUMENTS (Including Author, Date, Pertinent Pages, Etc.)		
EXAMINER INITIALS		CITATION
	D1	Bieberich and Guiseppi-Elie, Biosensors and Bioelectronics, 19:923-931 (2004)
	D2	Burnett et al., J. Biomo. Screening, 8(6):660-667 (2003)
	D3	Ciambrone et al., J. Biomo. Screening, 9(6):467-480 (2004)
	D4	Ehret et al., Med. Biol. Eng. Comput. 36:365-370 (1998)
	D5	Ehret et al., Biosensors and Bioelectronics, 12(1):29-41 (1996)
	D6	Gutmann et al., Pharmaceutical Research, 16(3):402-407 (1999)
	D7	Hug, Assay and Drug Dev. Tech., 1(3):479-488 (2003)

Examiner Signature		Date Considered	
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
EXAMINER INITIALS		CITATION
	D8	Lin and Huang, J. Micromech. Microeng., 11:542-547 (2001)
	D9	Lin et al., Min. For Chem., Bio., & Bioeng., 4:104-108 (2004)
	D10	Wegener et al., Eur. J. Physiol., 437:925-934 (1999)
	D11	Wolf et al., Biosensors and Bioelectronics, 13:501-509 (1998)
	D12	Xiao and Luong, Biotechnol. Prog., 19:1000-1005 (2003)
	D13	Xiao et al., Anal. Chem., 74:5748-5753 (2002)
	D14	Yamauchi et al., Nuc. Acids Res., 32(22):1-8 (2004)
	D15	Loffert et al., QIAGENNews, 4:15-18 (1997)

Examiner Signature		Date Considered	
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